

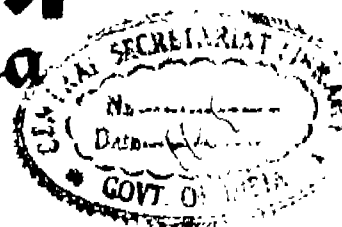


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असाधारण
EXTRAORDINARY

भाग II-खण्ड 2
PART II-Section 2

प्राधिकार से प्रकाशित
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on 1st June, 1995:—

BILL No. 39 OF 1995

A Bill further to amend the Water (Prevention and Control of Pollution) Cess Act, 1977.

Be it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 1995.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

36 of 1977. 2. For Schedule II to the Water (Prevention and Control of Pollution) Cess Act, 1977, the following Schedule shall be substituted, namely:—

Substitution of new Schedule for Schedule II.

"SCHEDULE II

(See section 3)

Purpose for which water is consumed	Maximum rate under sub-section (2) of section 3	Maximum rate under sub-section (2A) of section 3
(1)	(2)	(3)
1. Industrial cooling, spraying in mine pits or boiler feeds and domestic purpose	Five paise per kilo litre	Ten paise per kilo litre.
2. Processing whereby water gets polluted and the pollutants are easily bio-degradable	Ten paise per kilo litre	Twenty paise per kilo litre.
3. Processing whereby water gets polluted and the pollutants are not easily bio-degradable or are toxic or both	Fifteen paise per kilo litre	Thirty paise per kilo litre.
4. Hydel power generation purpose	Ten paise per one hundred kilo litres	Twenty paise per one hundred kilo litres."

STATEMENT OF OBJECTS AND REASONS

The Water (Prevention and Control of Pollution) Cess Act, 1977 was enacted to provide for the levy and collection of cess on water consumed by specified industries and local authorities to augment the resources of the Central and State Pollution Control Boards. The existing rates of Water Cess were revised in 1991 because with the rapid expansion of industries and towns, the responsibility and workload of the Pollution Control Boards have increased considerably and the funds available with these Boards had not kept pace either with increase in costs or with the overall commitments involving heavy financial liabilities. Presently, the rates of Water Cess revised in 1991 are found to be inadequate not only to meet the requirement of the Central and State Pollution Control Boards, but also in achieving discipline and economy in the use of water.

2. Further, the State Boards are entrusted with the additional responsibilities for the enforcement of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986. These Boards have also been assigned the promotional and regulatory activities needed for environmental protection. The present responsibilities of the State Boards are still growing and the rates of water cess have not proved sufficient to motivate consumers to reduce the use of water. Besides, it is necessary that the rates of water cess should be commensurate with the cost of effluent treatment and push consumers towards water conservation by making industries and Local authorities pay more for higher use of water. This is necessary because water is increasingly becoming a scarce natural resource.

3. The Bill seeks to achieve the above objectives.

New Delhi;

The 23rd May, 1995.

KAMAL NATH.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. 17(2)/95 PL, dated the 19th May, 1995 from Shri Kamal Nath, Minister of State of the Ministry of Environment and Forests to the Secretary-General, Lok Sabha.]

The President, having been informed of the proposed amendment Bill to augment the resources of the Pollution Control Boards and to encourage economy in the use and conservation of water, recommends the introduction of the Bill in Lok Sabha under article 117(1) of the Constitution of India.

R. C. BHARDWAJ,
Secretary-General.

